

LEGIONELLA

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LANARKSHIRE
HOUSING ASSOCIATION LTD



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WATER HYGIENE (LEGIONELLA) POLICY

(*Note Lanarkshire Housing Association hereinafter referred to as LHA)

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1.0 INTRODUCTION

Lanarkshire Housing Association recognises that it has a duty of care to employees, tenants, visitors and the public that may be affected by the operation and maintenance of premises owned by LHA.

This policy is to ensure the effective inspection, maintenance and management of all water systems within residential and commercial premises controlled by LHA.

2.0 SUPPORTING DOCUMENTS

The implementation of this policy is supported by the following policies and procedures.

- Legionella Management Plan – Domestic Premises
- Legionella Management Plan – Commercial Premises
- Health & Safety Policy (2025)
- Property Services Policies and Procedures
- Gas Safety Policies and Procedure
- Electrical Safety Policies and Procedure
- Tenancy Management Policy and Procedures
- Termination and Void Management Procedures
- Supporting and Sustaining Tenancies Policy
- Tenant Participation Strategy and Complaints Handling Procedure

3.0 PURPOSE

The Water Hygiene (Legionella) Policy aims to ensure that LHA effectively administers compliance with its landlord and employer obligations in respect of legionella management and thereby seeks to provide assurance to the Association's Management Committee. The main objectives of this policy include:

- Ensuring that systems are in place to enable the Association to comply with its duties in relation to Health and Safety;
- Operate an effective water hygiene (legionella) management system;
- Ensuring audit trails exist within the legionella management process;
- Reviewing policies, procedures and systems regularly to ensure they are up to date and reflect legislation and best practice guidance;
- Identify all water plant and systems which present a potential risk of exposure to legionella bacteria;
- Monitor compliance with the written scheme and review risks and the performance of the risk control measures, revising risk assessments and written control schemes as required;
- Employ only competent, adequately qualified and trained personnel and service providers.

4.0 POLICY OBJECTIVES

This policy contributes to LHA's delivery of the following existing Corporate Objectives:

- **Objective 1** - To meet or exceed the requirements of the Scottish Social Housing Charter (the Charter) and deliver fair, accessible and responsive customer services.
- **Objective 2** - To ensure all of our homes meet or exceed the Scottish Housing Quality Standard (SHQS) and the Energy Efficiency Standard for Social Housing (ESSH)
- **Objective 6** - Achieve our Corporate and Social Responsibilities (CSRs) through excellence in governance and financial management, linked to ethical codes of practice.

5.0 LEGISLATION, REGULATION AND GOOD PRACTICE

LHA will comply with all relevant legislation, regulations and approved codes of practice in relation to legionella management. This will include:

- The Health & Safety at Work Act 1974
- British Standard BS 8580-1:2019 water quality: risk assessment for legionella
- Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations 2002
- INDG458 legionnaires disease: a brief guide to duty holders
- Approved Code of Practice L8, Legionnaires' Disease, The Control of Legionella Bacteria in Water Systems 2013
- HSG274 Legionnaires' Disease (Parts 1-3, where relevant)
- The Scottish Housing Quality Standard (SHQS) Repairing Standard
- The Housing (Scotland) Act 2014
- Public Health (Scotland) Act 2008
- Environmental Protection Act 1990

6.0 EQUALITY

LHA is committed to providing fair and equal treatment to all our current and prospective customers. An Equalities Impact Assessment has been undertaken alongside the review of this policy. The assessment deemed that there are no negative impacts of this policy on any protected groups as outlined in the Equality Act 2010. As with all LHA policies and practices, we ensure these adhere to Outcome 1 of the Scottish Social Housing Charter (Equalities).

We are happy to make this policy, and any associated documents, available in alternative formats to assist customers with needs e.g. large print, braille, audio etc. In addition, and supporting our equality commitment, we have adopted the 'Happy to Translate' service, which bridges communication gaps

for service users who struggle to communicate in English.

7.0 DEFINITIONS AND DESCRIPTION

For the purposes of this policy, unless otherwise stated, the following definitions shall apply:

- **Legionella bacteria:** common in natural water course such as rivers and ponds. Since legionella are widespread in the environment, they may contaminate and grow in other water systems such as cooling towers, evaporative condensers, showers, spray apparatus and hot and cold water systems.

Legionella bacteria are usually associated with larger water systems, for example in factories, hospitals and hotels but the bacteria can also populate smaller water systems used in homes or residential accommodation. Further potential sources of legionella bacteria include spa and whirlpool baths, humidifiers, water features and fire suppression systems (sprinklers and hose reels).

- **Legionnaires Disease:** a potentially fatal form of pneumonia caused by the inhalation of legionella bacteria. This includes the most serious legionnaires' diseases, as well as the similar but less serious conditions of Pontiac Fever and Lochgoilhead Fever. The bacteria is normally contained within fine water droplets (aerosol) that may be caused by operating a cooling tower, shower, spray apparatus, running a tap outlet or operating a humidifier. There is no evidence that Legionnaires Disease can be contracted from person to person or by drinking water contaminated by legionella bacteria.

Legionnaires Disease has the potential to affect anybody. However, persons more susceptible are normally in the age range of 45 and above, smokers, heavy drinkers, persons suffering from chronic respiratory or kidney disease and persons with impaired immune systems.

Healthy persons are not immune from catching Legionnaires Disease. A large proportion of reported cases of Legionnaires Disease within the UK each year are those returning from foreign travel. The identification of legionella bacteria within a water system is not an outbreak, this is only the case when two or more persons have contracted the disease from the same source.

Legionella survive low temperatures and thrive at temperatures between 20-45°C if the conditions are right, e.g. if a supply of nutrients is present such as rust, sludge, scale and other bacteria. The legionella bacteria are killed by high temperatures.

8.0 OUR APPROACH

LHA shall undertake the necessary steps to assess sources of risk across our assets. To achieve this we shall carry out a suitable and sufficient assessments to identify, assess and minimize the risk of exposure to legionella bacteria from the water systems contained within our properties.

We shall ensure that the risk assessment identifies and evaluates:

- The particular means of preventing exposure to legionella bacteria; or
- If prevention is not reasonably practicable, the particular means of controlling the risk from exposure to legionella bacteria;
- The risk to health, whether the potential harm to health from exposure is reasonably foreseeable, unless adequate protections are taken;
- The necessary measures to prevent, or adequate control, the risk from exposure to legionella bacteria.
- Where required, the Association shall employ the services of a competent person to undertake the risk assessments.

The risk assessment shall take into account the following factors:

- Evaluate the nature of each site;
- Consider the whole system, and not individual parts of the system;
- Presence of legionella bacteria;
- Conditions suitable for growth of the organisms, e.g. suitable water temperatures 20°C – 45°C; and presence of nutrients such as sludge, scale, rust, algae or other organic matter;
- Are these means of creating and spreading breathable droplets, e.g. the aerosol generated by cooling towers, shower or spa pools;
- The presence of occupants that would class as vulnerable;
- The source of system supply water;
- Possible sources of contamination;
- Plant operating characteristics;
- Unusual, but foreseeable operating conditions;
- Use of disinfection systems;
- Review of control measures;
- Local environment.

In general needs domestic housing, LHA applies a proportionate, risk-based approach in line with HSE guidance for landlords. Domestic systems are typically simple, with regular water turnover, and do not normally require routine sampling or complex monitoring where risk is assessed as low. Control is achieved through risk assessment, temperature management, flushing during voids and periods of low use, and prompt remedial action where deficiencies are identified.

The detailed Written Scheme of Control, including monitoring frequencies, temperature targets, flushing regimes and action levels, is contained within the Legionella Management Plans (Domestic and Commercial)

9.0 LONG TERM VOID PROPERTIES

Where a property is taken out of occupation for prolonged period of times, it should be managed to prevent microbiological growth. In general we should aim to leave systems filled with water. By leaving the systems filled with water we remove the risk of pockets of water left in drained down system from developing biofilm and help to prevent failures associated with drying out.

When the property is to be re-occupied, these water systems should be re-commissioned as if they were new; including flushing, cleaned and disinfection; before being returned to use.

10.0 TRAINING AND COMPETENCE

An assessment shall be undertaken to assess the training requirements of the persons with responsibilities under this policy. Training should be undertaken by each relevant person to ensure that they have the requisite knowledge and competence to undertake their appointed role.

The Association shall retain a record of all training undertaken in relation to the management and control of legionella. Refresher training should be undertake on a periodic basis, particularly where changes to Regulation, Approved Codes of Practice or best practice occurs.

Where LHA appoints a contractor to undertake water hygiene works, this contractor shall be required to demonstrate its competence to undertake the required tasks. As a minimum requirement, contractors are required to be a registered member of the Legionella Control Association (LCA).

11.0 RECORD KEEPING

The Association understand the importance of accurate record keeping, and shall undertake the following in relation to the management of legionella within our properties:

- The Association shall maintain a record of all legionella risk assessments which have been carried out;
- The Association shall maintain a record of all mitigation / risk reduction works carried out;
- The Association shall maintain a record of all monitoring and checks carried out, these should be recorded in each properties log book;

The process of record keeping shall be constant in accordance with the timescales set out within in the Legionella Management Plan. All legionella records shall be retained for a minimum period of five years.

13.0 NOTIFICATION REQUIREMENTS

In Scotland, Legionella is a notifiable organism under the Public Health etc. (Scotland) Act 2008. Laboratories must notify PHS via ECOSSE within 24 hours after confirmation; urgent verbal notification to the local Health Protection Team is expected. LHA will cooperate with outbreak investigations led by the Proper Officer/Local Authority and PHS

An outbreak is defined as two or more cases where the onset of illness is closely linked in time and where there is epidemiological evidence of a common source of infection, with or without microbiological evidence.

Where an outbreak is identified the Local Authority shall implement their infectious diseases incident plan to investigate the outbreak, the Local Authority shall appoint the Proper Officer whose primary purpose is to protect public health.

Where an outbreak has occurred from suspected infringements of the regulations, then the enforcing authority shall investigate and take appropriate enforcing action. Enforcing authority shall be HSE or Local Authority Environmental Health Officers.

If an outbreak was identified that involved PHA properties, the Association would liaise with and assist the Local Authority investigation. Where a water system in the ownership of PHA was implicated within the outbreak investigation, immediate emergency treatment works of that system would be instructed.

Should an employee of the Association contract legionellosis resulting from work relating to cooling towers or hot and cold water systems likely to be contaminated with legionella, the Association shall report the incident under Reporting or Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

14.0 MONITORING OF THE POLICY

Any matter which demonstrates a serious failure of internal controls should be reported immediately to the Chief Executive Officer.

The performance on our compliance will be reported to the Associations Management Committee, or delegated Sub Committee.

15.0 ROLES AND RESPONSIBILITIES

The Associations Executive Team will ensure that the Water Hygiene (Legionella) Policy is meeting its intended objectives and that appropriate monitoring and reporting of activities takes place.

In implementing its Water Hygiene (Legionella) Policy certain functions are the responsibility of nominated committee, although staff members have delegated authority to undertake many tasks.

The L8 ACoP requires that as part of our Policy certain roles are defined, the following persons have responsibilities under this policy:

Role	Name	Function / task	Responsibility
Overall Accountability	Chief Executive Officer	Legal duty holder for Health and Safety	Corporate responsibility to ensure that Association are implementing and complying with legal Health and Safety obligations.
Overall Responsibility	Property Services Director	Overall management responsibility for Legionella Management	Investment Director responsible for the operational procedures that reflect the principles set out within the Legionella Management Policy.
Deputy Responsible Person(s)	1. Senior Property Officer 2. Property Services Officer	Implementation and delivery of Legionella Management Policy	Undertake the day-to-day management responsibility for implementing this policy
Monitoring	Management Committee or delegated subcommittee.	Monitor Health and Safety	Monitor performance against policy
Risk Assessments and L8 works	Legionella Contractor	Provide specialist services in relation to the management of legionella	Undertake the required Risk Assessments, mitigation and monitoring measures as required under their appointment

16.0 RISK

LHA takes a proactive approach to the management of risks – at both a strategic and operational level. Key risks that this policy seeks to mitigate:

- Procuring appropriately qualified consultants and contractors to assist in the inspection, testing and risk assessments that form part of the water hygiene (legionella) management system;
- Specific technical training for staff dealing with water hygiene.
- Operating an effective water hygiene (legionella) log book including audit trails and reporting systems that ensure compliance.
- Ensuring essential remedial works are instructed so that the homes of tenants are safe to occupy in terms of legislative requirements;
- Applying the same process to Commercial properties in keeping with Health & Safety at Work legislation.

17.0 COMPLAINTS

LHA values complaints and we endeavour to use the learning from complaints to help us improve our services.

Any complaint arising from our implementation of this policy, will be addressed through our complaints handling process.

A copy of our Complaints Policy is available on our website:

<https://www.lanarkshireha.com>

18.0 REVIEW

LHA undertakes to review this policy regularly, at least every three years, with regards to:

- Applicable legislation, rules, regulations, and guidance
- Changes in the organisation
- Continued best practice

Lanarkshire Housing Association Limited Equality Impact Assessment Tool

Name of the policy / proposal to be assessed	Water Hygiene (Legionella) Policy	Is this a new policy / proposal or a revision?	Policy Revision
Person(s) responsible for the assessment	Property Services Director		
1. Briefly describe the aims, objectives and purpose of the policy / proposal	The Water Hygiene (Legionella) Policy aims to ensure that the Association meets all legal and regulatory obligations and ensure best practice is followed in relation to Legionella safety. It therefore aims to: Keep the general public, tenants, and employees safe from the risks associated with Legionella bacteria being able to grow within our hot and cold water systems and exposure of that bacteria to anyone who could come into contact with it.		
2. Who is intended to benefit from the policy / proposal? <i>(e.g. applicants, tenants, staff, contractors)</i>	The policy sets out to benefit tenants to ensure risk of harm from faulty Legionella equipment is minimised. It further intends to benefit staff, contractors and members of the public who are visiting and working within LHA properties. It will also benefit the association in ensuring legal obligations are met and protecting assets.		
3. What outcomes are wanted from this policy / proposal ? <i>(e.g. the benefits to customers)</i>	To ensure that the association is compliant with Legionella safety legislation and Regulatory guidance and through robust risk assessments, monitoring and maintenance, our procedures and programmes continue to be compliant and managed thus mitigating the risks to staff, tenants' contractors and the general public relating to ill health or loss of life from exposure to harmful Legionella bacteria.		

4. Which **protected characteristics** could be **affected** by the proposal? (*tick all that apply*)

- Age
 Disability
 Marriage & Civil Partnership
 Pregnancy/Maternity
 Race
 Religion or Belief
 Sex
 Gender Reassignment
 Sexual Orientation

5. If the policy / proposal is not relevant to any of the **protected characteristics** listed in part 4, state why and end the process here.

The Policy is relevant for health reasons.

	Positive impact(s)	Negative impact(s)
<p>6. Describe the likely positive or negative impact(s) the policy / proposal could have on the groups identified in part 4</p>	<p>The policy is applied equally to all properties with the aim of maintaining Legionella bacteria in hot and cold-water systems on a risk-based approach.</p> <p>It has been proven that Legionella bacteria can have a worse effect on: males, over 45's, smokers, heavy drinkers, elderly, people with respiratory or kidney issues. Site specific risk assessments will actively include any information which may help the risk assessment be more accurate and protect these identified vulnerable customer groups.</p>	<p>None</p>

7. What **actions** are **required** to address the impacts arising from this assessment? *(This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).*

It positively identifies potential vulnerable customers to ensure we tailor our risk assessment to protect the health of our customers. Other customers without these defined vulnerabilities will not be discriminated against as their health conditions and susceptibility to Legionella bacteria will also be taken into account at the point of risk assessment.

Signed:  (Job title): Property Services Director

Date the Equality Impact Assessment was completed: 16 February 2026

Please attach the completed document as an appendix to your policy / proposal report